

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MAR 10 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: A.G. SPANOS CONSTRUCTION.

No. 09-70173

A.G. SPANOS CONSTRUCTION, INC.;
et al.,D.C. No. 4:07-cv-03255-SBA
Northern District of California,
Oakland

Petitioners,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA,

Respondent,

NATIONAL FAIR HOUSING
ALLIANCE, INC.; et al.,Real Parties in Interest.

Before: B. FLETCHER, REINHARDT and LEAVY, Circuit Judges.

Petitioners have not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus because the district court's orders denying petitioners' motion to dismiss the amended complaint and denying reconsideration do not harm petitioners in a way not correctable on appeal after final judgment. *See Bauman v. United States Dist. Court*, 557 F.2d 650, 656-57 (9th Cir. 1977). Accordingly, the petition for a writ of mandamus is denied.